

Applicant or Patentee: Mark G. Katko et al.

Serial or Patent No.: Unknown

Attorney's Docket No.: DTE-0020

Date Filed or Issued: Herewith

For: AN INDEPENDENT CENTRAL OFFICE CONNECTED TO THE PUBLIC SWITCHED TELEPHONE NETWORK VIA ALTERNATIVE MAN TRANSPORT SYSTEMS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am:

( ) the owner of the small business concern identified below:

(XX) an official empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Dynamic Telcom Engineering, Inc.

ADDRESS OF CONCERN: Bank One Center, 600 Superior Avenue,  
Suite 1300, Cleveland, Ohio 44144

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that: (1) the number of employees of the concern, including those of its affiliates, does not exceed 500 persons; and (2) the concern has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who could not be classified as an independent inventor if that person had made the invention, or to any concern which would not qualify as a small business concern or a nonprofit organization under this section. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled AN INDEPENDENT CENTRAL OFFICE CONNECTED TO THE PUBLIC SWITCHED TELEPHONE NETWORK VIA ALTERNATIVE MAN TRANSPORT SYSTEMS by inventor(s) Mark G. Katko et al. described in

(xx) specification filed herewith.

( ) application serial no. \_\_\_\_\_, filed \_\_\_\_\_.

( ) patent no. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

**\*NOTE: Separate verified statements are required for each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)**

**FULL NAME: @@**

**ADDRESS: @@**

( ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN ( ) NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

**NAME OF PERSON SIGNING Eli S. Asher**

**TITLE OF PERSON SIGNING President**

**ADDRESS OF PERSON SIGNING Bank One Center, 600 Superior Avenue,  
Suite 1300, Cleveland, Ohio 44144**

  
\_\_\_\_\_  
**SIGNATURE**

4/26/00  
\_\_\_\_\_  
**DATE**